

**Acknowledgment and
Notice of Acknowledgment
of Acceptance of R.S. 2477
Right-of-Way Grant**

Ent 147021 Bk 209 Pg 300
Date: 08-MAY-2008 11:54AM
Fee: None
Filed By: CB
COLLEEN BRINKERHOFF, Recorder
WAYNE COUNTY
For: GOVERNOR OF STATE OF UTAH

THE STATE OF UTAH

TO ALL WHOM THESE PRESENTS SHALL COME, Greeting:

Know ye, This is an Acknowledgment and Notice of Acknowledgment made under Utah Code Sections 72-5-309 through 310 inclusive, that the grant of the United States of America of "the right of way for the construction of highways over public lands, not reserved for public uses" under United States Revised Statutes 2477 (43 U.S.C. Section 932 (repealed October 21, 1976, with proviso recognizing the validity of rights-of-way already established)) was accepted for and on behalf of the State of Utah and its political subdivision Wayne County as it pertains to the highway located in Wayne County known as PINE CREEK ROAD; County Road Number: 23; State Geographic Information Database (SGID) Road Identification Number: RD280304. Total road length is 1.61 miles more or less.

The reason for this Acknowledgment and Notice of Acknowledgment includes, but is not limited to, the fact that the road was constructed, mechanically, or by continuous use as a public highway for a period of at least ten years, over public lands not reserved for public uses, prior to the earlier of (a) the October 21, 1976 repeal of R.S. 2477 or (b) the date the servient estate was reserved for public uses.

This Acknowledgment and Notice of Acknowledgment applies only to the segments of the road that traverse land owned by the Bureau of Land Management, United States Department of the Interior, and does not apply to segments of the road that traverse land owned by any other person or entity. The State of Utah and its political subdivisions reserve the right to make further acknowledgments and notices of acknowledgment with regard to road segments that traverse land owned by other entities, including the United States of America, through one or more of its agencies.

A printed copy of a map showing the location of the road in said county is appended hereto as "Attachment 1," a printed copy of representative photos of the road is appended hereto as "Attachment 2," a printed copy of a description of the beginning and ending points of the entire road together with a list of Townships, Ranges and Sections that may be traversed by the road in said county is appended hereto as "Attachment 3," and a printed copy of the Road Centerline Description Cover Page(s) is appended hereto as "Attachment 4." The Appendices listed in "Attachment 4" that contain the actual road centerline descriptions are incorporated herein by reference. Affidavits provided by individuals familiar with the road are appended hereto as "Attachment 5."

A printed copy of this Acknowledgment and Notice of Acknowledgment, together with its Attachments and Appendices, may be viewed and/or obtained at the office of the Utah State Archives.

An electronic copy of this Acknowledgment and Notice of Acknowledgment, together with its Attachments and Appendices, may be viewed and/or downloaded as read-only PDF (Portable Document Format) files via the

Internet at <http://recorded2477roads.utah.gov>.

The owner of the servient estate in the land underlying the road-segments subject to this Acknowledgment and Notice is believed to be the United States of America through one or more of its agencies. Any of such agencies or any other person with a servient ownership claim or a competing dominant estate right-of-way ownership claim, may file a petition in the State District Court for Salt Lake County for a decision regarding the correctness of this Acknowledgment. A claimant shall file a petition within sixty (60) days after receipt of this Notice.

In Witness Whereof, I, John Harja, the official designee of the Governor of the State of Utah, in conformity to the laws of the State (Utah Code Sections 72-5-308 through 310 inclusive), have caused this Acknowledgment and Notice of Acknowledgment to be made.

Signed by my hand in Salt Lake City, Utah, the 23rd day of April, 2008.

By the Governor's Designee



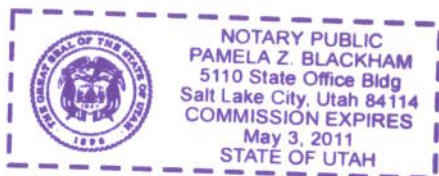
John Harja

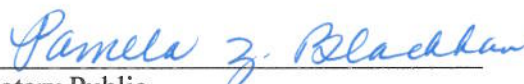
CERTIFICATION

State of Utah)
 : ss
County of Salt Lake)

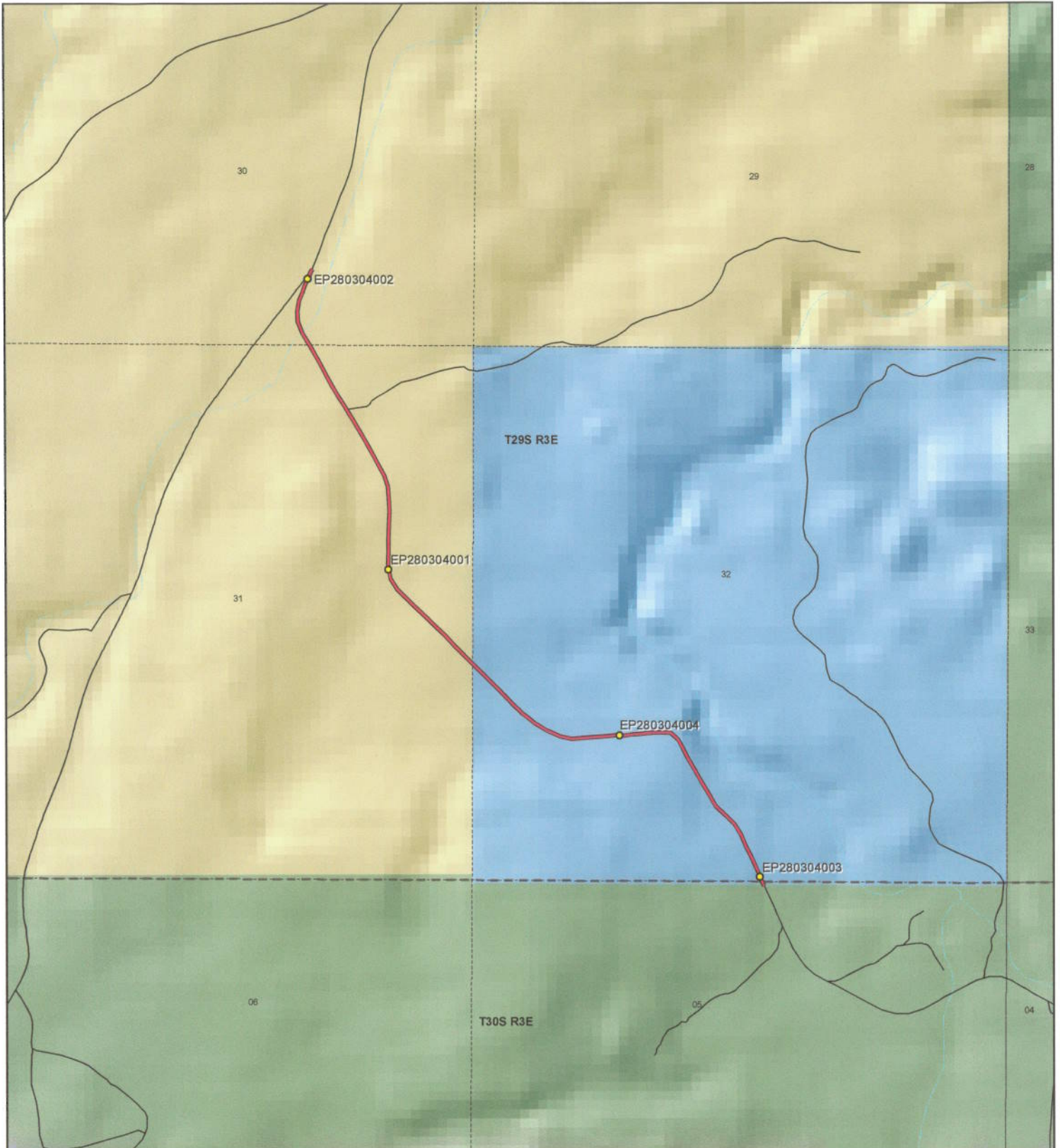
I hereby certify that the signer of the foregoing document, John Harja, is personally known by me, has made a voluntary signature and taken an oath stating that he is the official designee of the Governor of the State of Utah and is authorized to sign this document on the Governor's behalf pursuant to Utah Code Section 72-5-309. He further vouched that, based upon information and belief, the facts alleged therein are true.





Dated this 23rd day of April, 2008.





Notary Public



 <p>1:15,455 1 inch equals 0.2 miles</p>		<p align="center">PINE CREEK ROAD - Wayne County SGID RD_ID RD280304</p> <table border="0"> <tr> <td data-bbox="462 1806 706 1984"> Land Ownership Categories <ul style="list-style-type: none"> ◆ BLM ◆ Private ◆ SITLA, State Trust Land ◆ USFS, National Forest ◆ State Parks and Recreation ◆ Tribal, Indian Reservation ◆ NPS, National Park </td> <td data-bbox="714 1806 950 1984"> <ul style="list-style-type: none"> ◆ Wilderness ◆ UDWR Wildlife Reserve ◆ DOD, Military ◆ State Sovereign Land ◆ National Recreation Area ◆ USFWS, Natl. Wildlife Refuge </td> <td data-bbox="958 1806 1193 1984"> Transportation Network <ul style="list-style-type: none"> — PINE CREEK ROAD — Title V: Issued Or Under Consideration By BLM Or County — Other Roads ● Photo Event Point Section = 1 Mile </td> </tr> </table>	Land Ownership Categories <ul style="list-style-type: none"> ◆ BLM ◆ Private ◆ SITLA, State Trust Land ◆ USFS, National Forest ◆ State Parks and Recreation ◆ Tribal, Indian Reservation ◆ NPS, National Park 	<ul style="list-style-type: none"> ◆ Wilderness ◆ UDWR Wildlife Reserve ◆ DOD, Military ◆ State Sovereign Land ◆ National Recreation Area ◆ USFWS, Natl. Wildlife Refuge 	Transportation Network <ul style="list-style-type: none"> — PINE CREEK ROAD — Title V: Issued Or Under Consideration By BLM Or County — Other Roads ● Photo Event Point Section = 1 Mile 	<p>Map prepared by the State of Utah Automated Geographic Reference Center Room 5130 State Office Building Salt Lake City, Utah 84114 Mar 14, 2008</p> <div style="display: flex; justify-content: space-around; align-items: center;">   </div>
Land Ownership Categories <ul style="list-style-type: none"> ◆ BLM ◆ Private ◆ SITLA, State Trust Land ◆ USFS, National Forest ◆ State Parks and Recreation ◆ Tribal, Indian Reservation ◆ NPS, National Park 	<ul style="list-style-type: none"> ◆ Wilderness ◆ UDWR Wildlife Reserve ◆ DOD, Military ◆ State Sovereign Land ◆ National Recreation Area ◆ USFWS, Natl. Wildlife Refuge 	Transportation Network <ul style="list-style-type: none"> — PINE CREEK ROAD — Title V: Issued Or Under Consideration By BLM Or County — Other Roads ● Photo Event Point Section = 1 Mile 				

Attachment 2



EP280304001



EP280304002



EP280304003



EP280304004

EP000000000

EP000000000

PINE CREEK ROAD - Wayne County
SGID RD_ID RD280304

Map prepared by the State of Utah
 Automated Geographic Reference Center
 Room 5130 State Office Building
 Salt Lake City, Utah 84114
 March 24, 2008



Attachment 3

Beginning & Ending Points and Township, Range, and Section References For:

Popular Name: PINE CREEK ROAD

County: Wayne

County Road Number: 23

State Geographic Information Database (SGID) Road Identification Number: RD280304.

Total Road Length: 1.61 miles more or less.

Beginning at a point on the road centerline located at 38 degrees 14 minutes 013.1 seconds North Latitude and -111 degrees 36 minutes 24.42 seconds West Longitude, which can be converted to mapping accuracy State Plane Utah South Zone NAD 83 feet coordinates of X = 1,609,745.1 feet and Y = 10,414,307.2 feet based on the US Survey Foot conversion.

Ending at a point on the road centerline located at 38 degrees 15 minutes 12.97 seconds North Latitude and -111 degrees 37 minutes 020.9 seconds West Longitude, which can be converted to mapping accuracy State Plane Utah South Zone NAD 83 feet coordinates of X = 1,605,247.1 feet and Y = 10,420,369.4 feet based on the US Survey Foot conversion.

This road may traverse:

Township 29 South Range 3 East, Section(s) 30,31,32, Salt Lake Base & Meridian

Township 30 South Range 3 East, Section(s) 5, Salt Lake Base & Meridian

See Attachment 1 above for a cartographic depiction of the course of this road.

Attachment 4
Road Centerline Description Cover Page(s)

Popular Name: PINE CREEK ROAD

County: Wayne

County Road Number: 23

State Geographic Information Database (SGID) Road Identification Number: RD280304.

Total Road Length: 1.61 miles more or less.

Centerline Descriptions Of Road-Segments That Cross Over Federally Owned Land, Derived From Global Positioning System Data And Cross-checked against USGS Digital Orthophoto Quadrangles Compiled By The Utah Automated Geographic Reference Center And Entered Into The State Geographic Information Database (SGID).

Road-Segments Listed by SGID Road Identification Number (RD ID)	Road-Segment Numbers	Believed Ownership Of Servient Estate	Approximate Segment Length	See Attached Appendix
RD280304	001	FS	0 Miles	†(pending)
RD280304	002	ST	0.76 Miles	(not shown)
RD280304	003	BLM	0.85 Miles	A
		Total Road Length	1.61	_____

* Indicates that a Title V permit will be requested, is in process, or has been issued.

† Indicates that road-segments crossing Forest Service land are under consideration by the state and county as of the date of this Acknowledgment and Notice of Acknowledgment.

Attachment 5

AFFIDAVIT OF DENZEL TAYLOR

PINE CREEK ROAD

WAYNE COUNTY, UTAH

ROAD NUMBER 23

State of Utah)
 : ss.
County of Wayne)

DENZEL TAYLOR, being first duly sworn, deposes and states as follows:

1. I am an adult competent to testify about the matters set forth below based upon my personal knowledge. I currently reside in Wayne County, Utah. I have lived in Wayne County for most of the past 87 years. I was employed by the Wayne County Road Department for approximately 20 years, from the early 1960s to the early 1980s.

2. I have traveled and am familiar with a road in Wayne County known as Pine Creek Road. I am also familiar with the land the road traverses. When I first used and observed the road in the early 1930s, it followed the same route as in 2005 when I last observed it. Attached is a Wayne County map showing Pine Creek Road. To the best of my knowledge and based upon my use of and familiarity with this road and the land it traverses, the location and route of the road are correctly illustrated on the attached map.

3. I am informed that the County also identifies this road according to the road number listed above.

4. I have observed that the road has been open to the public for all to use, to come and go as they pleased, since at least as early as the early 1930s and continuing through 1976 to 2005. Throughout this time period I have observed travel on the road by various means, including trucks, cars, recreational vehicles, and pickup trucks. Throughout this time period, the road has been used daily, weather permitting, for more than ten continuous years prior to 1976, and was used daily, weather permitting in 2005.

5. Throughout the time period from the early 1930s to 2005, I have used the road myself for the following uses: county road maintenance, hunting and traveling in and through the area.

6. Throughout the time period described in the previous paragraph, I observed other vehicles from the general public using the road at various times for the uses described in the previous paragraph, plus the following uses: logging, hunting, wood gathering, livestock operations and government access.

7. It is also the reputation in the community that this road has been open to the public for all to use, to come and go as they pleased, since at least as early as the early 1900s and continuing through 1976 to the present, for the uses described in the previous paragraphs.

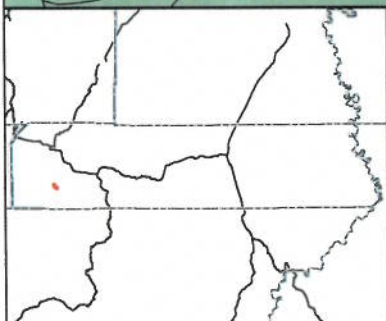
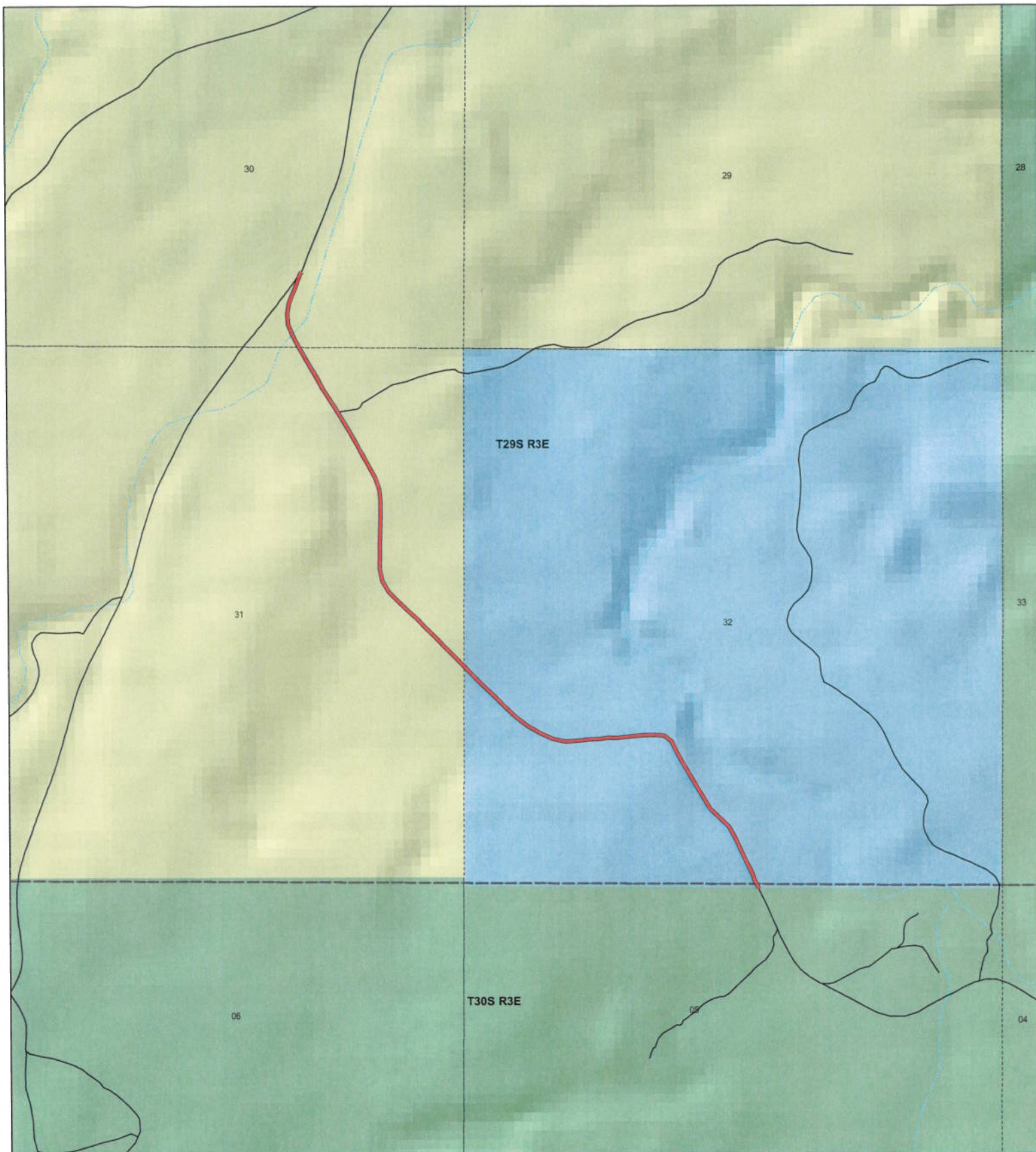
8. Prior to 1976, I personally performed maintenance and construction activities on the road.

DATED this 18 day of April, 2007.


DENZEL TAYLOR

SUBSCRIBED AND SWORN to before me this 18th day of April, 2007.


NOTARY PUBLIC



PINE CREEK ROAD County Unique - 23

Land Ownership Categories

- BLM
- Private
- ◆ SITLA, State Trust Land
- ◆ USFS, National Forest
- ◆ Wildlife Reserve
- ◆ National Park / Monument
- ◆ National Rec. Area

Transportation Network

- PINE CREEK ROAD
- State / U.S. Highway
- Local Roads

Misc

- City / Town
- Municipalities

Ent 147021 Bk 0209 Pg 0809



1:15,202
1 inch equals 0.2 miles



Map prepared by the State of Utah
AGRC
Room 5130 State Office Building
Salt Lake City, Utah 84114
Apr 12, 2007



AFFIDAVIT OF DWIGHT S. WILLIAMS

PINE CREEK ROAD

WAYNE COUNTY, UTAH

ROAD NUMBER 23

State of Utah)
 : ss.
County of Wayne)

DWIGHT S. WILLIAMS, being first duly sworn, deposes and states as follows:

1. I am an adult competent to testify about the matters set forth below based upon my personal knowledge. I currently reside in Wayne County, Utah. I have lived in Wayne County for 79 years.

2. I have traveled and am familiar with a road in Wayne County known as Pine Creek Road. I am also familiar with the land the road traverses. When I first used and observed the road in the mid 1940s, it followed the same route as in 2007 when I last observed it. Attached is a Wayne County map showing Pine Creek Road. To the best of my knowledge and based upon my use of and familiarity with this road and the land it traverses, the location and route of the road are correctly illustrated on the attached map.

3. I am informed that the County also identifies this road according to the road number listed above.

4. I have observed that the road has been open to the public for all to use, to come and go as they pleased, since at least as early as the mid 1940s and continuing through 1976 to 2007. Throughout this time period I have observed travel on the road by various means, including trucks, cars, recreational vehicles, and pickup trucks. Throughout this time period, the road has been used daily for more than ten continuous years prior to 1976, and is presently used daily.

5. Throughout the time period from the mid 1940s to 2007, I have used the road myself for the following uses: livestock operations, access to Boulder Mountain, recreation, sight seeing and traveling in and through the area.

6. Throughout the time period described in the previous paragraph, I observed other vehicles from the general public using the road at various times for the uses described in the previous paragraph, plus the following uses: hunting and residential access.

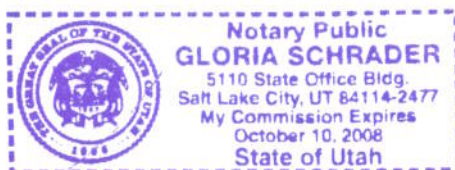
7. It is also the reputation in the community that this road has been open to the public for all to use, to come and go as they pleased, since at least as early as the early 1900s and continuing through 1976 to the present, for the uses described in the previous paragraphs.

8. Prior to 1976, I observed the graded surface of the road.

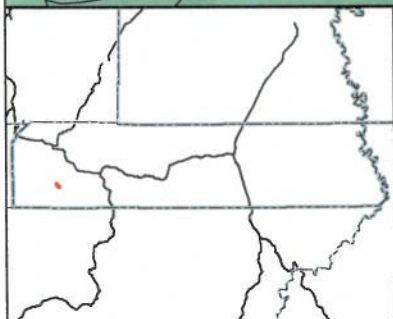
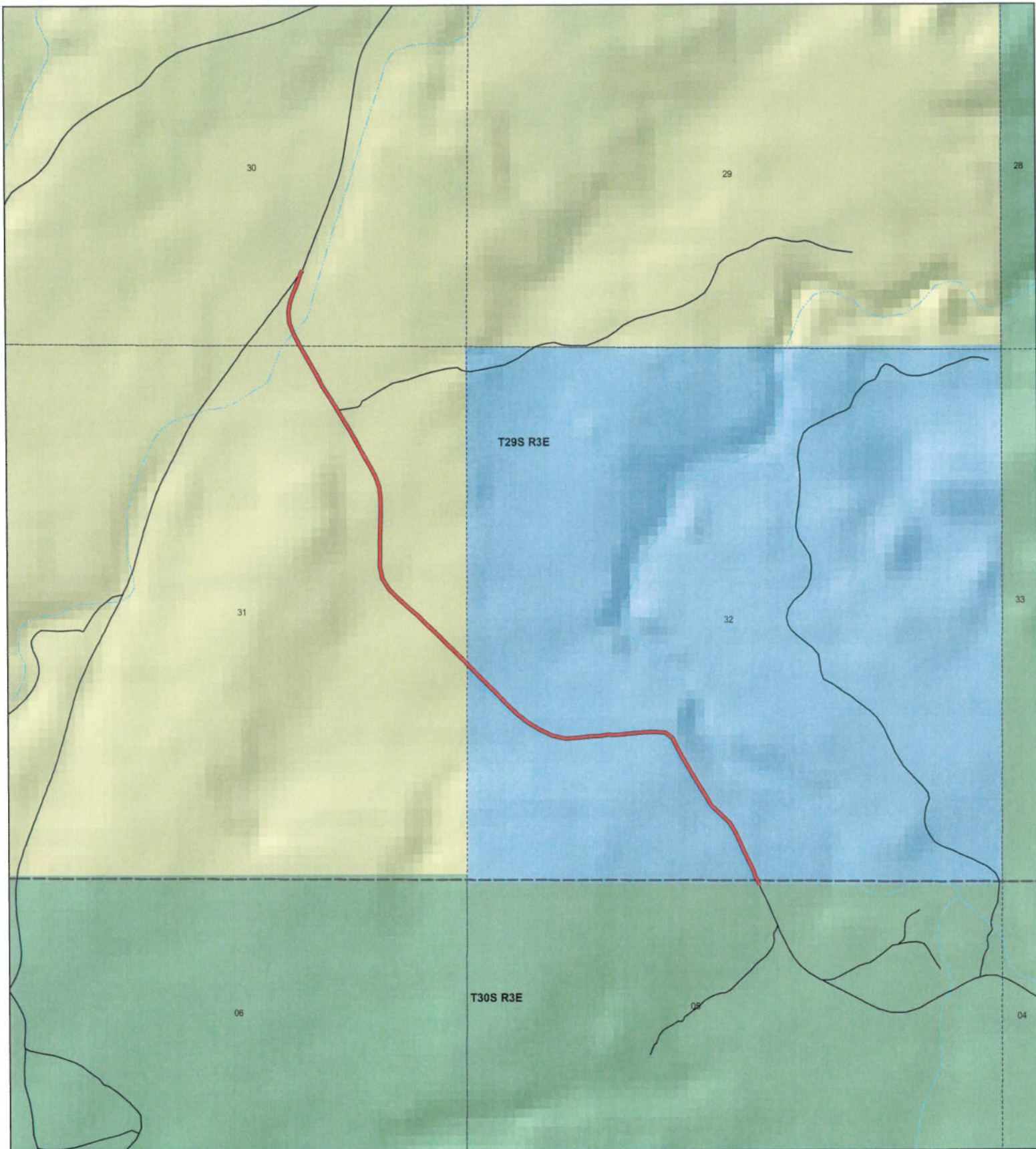
DATED this 17 day of April, 2007.


DWIGHT S. WILLIAMS

SUBSCRIBED AND SWORN to before me this 17th day of April, 2007.




NOTARY PUBLIC



PINE CREEK ROAD County Unique - 23

Land Ownership Categories

- ◆ BLM
- ◆ Private
- ◆ SITLA, State Trust Land
- ◆ USFS, National Forest
- ◆ Wildlife Reserve
- ◆ National Park / Monument
- ◆ National Rec. Area

Transportation Network

- PINE CREEK ROAD
- State / U.S. Highway
- Local Roads

Misc

- City / Town
- Municipalities



1:15,202
1 inch equals 0.2 miles



Map prepared by the State of Utah
AGRC
Room 5130 State Office Building
Salt Lake City, Utah 84114
Apr 12, 2007



Ent 147021 Bk 0209 Pg 0812

Appendix A to Attachment 4

Popular Name: PINE CREEK ROAD

County: Wayne

County Road Number: 23

State Geographic Information Database (SGID) Road Identification Number: RD280304.

Road-Segment Number: 003

Road-Segment Length: 0.85 miles more or less.

Believed owner of the land underlying this road-segment is: Bureau of Land Management.

The following description is based upon the geographic coordinate system using the NAD83 Datum. The source is GPS mapping grade data as indicated in the metadata and/or the transportation data model of the State of Utah Geographic Information Database (SGID).

The road-segment itself is the monument that is identified by its physical presence on the land. The location of said physical presence is closely approximated by mapping grade Global Positioning System (GPS) data. Said data are checked against the corresponding gray-scale 1-meter Digital Orthophoto Quadrangles published by the United States Geological Survey (USGS) to verify a reasonable degree of accuracy. In circumstances where accurate satellite signal acquisition is not possible, such as deep, narrow canyons or under a canopy of dense foliage, or where very sharp curves in the road make accuracy questionable, such portions of the road were digitized from the corresponding gray-scale 1-meter Digital Orthophoto Quadrangles published by the United States Geological Survey (USGS).

This road-segment may traverse:

Township 29 South Range 3 East, Section(s) 30,31, Salt Lake Base & Meridian

The following description closely approximates the location of the centerline of the physical monument (PINE CREEK ROAD)-- Segment 003 based on mapping grade Global Positioning System (GPS) data as defined above:

Beginning at a point on the road center line located at 38 degrees 14 minutes 34.64 seconds North Latitude and -111 degrees 37 minutes 00.84 seconds West Longitude, which can be converted to mapping accuracy State Plane Utah South Zone NAD 83 feet coordinates of X = 1,606,842.7 feet and Y = 10,416,489.7 feet; thence the following courses along the said road center line:

thence North 44 Degrees 44 Minutes 52 Seconds West 110 feet
thence North 44 Degrees 52 Minutes 22 Seconds West 152 feet
thence North 44 Degrees 38 Minutes 42 Seconds West 139.9 feet
thence North 45 Degrees 18 Minutes 36 Seconds West 132.3 feet
thence North 45 Degrees 44 Minutes 21 Seconds West 123.9 feet
thence North 47 Degrees 15 Minutes 45 Seconds West 122.6 feet
thence North 47 Degrees 50 Minutes 11 Seconds West 126.4 feet
thence North 45 Degrees 24 Minutes 38 Seconds West 132.5 feet
thence North 31 Degrees 16 Minutes 26 Seconds West 122.5 feet
thence North 11 Degrees 12 Minutes 04 Seconds West 132 feet
thence North 00 Degrees 15 Minutes 45 Seconds East 131.3 feet

thence North 00 Degrees 27 Minutes 00 Seconds West 134.6 feet
 thence North 01 Degrees 55 Minutes 28 Seconds East 134.7 feet
 thence North 02 Degrees 03 Minutes 50 Seconds East 134.7 feet
 thence North 01 Degrees 03 Minutes 15 Seconds West 126.4 feet
 thence North 06 Degrees 19 Minutes 09 Seconds West 119.1 feet
 thence North 18 Degrees 35 Minutes 24 Seconds West 115.1 feet
 thence North 28 Degrees 09 Minutes 57 Seconds West 117.3 feet
 thence North 29 Degrees 32 Minutes 01 Seconds West 129.7 feet
 thence North 28 Degrees 57 Minutes 57 Seconds West 132.8 feet
 thence North 29 Degrees 14 Minutes 12 Seconds West 142.5 feet
 thence North 31 Degrees 36 Minutes 52 Seconds West 142.1 feet
 thence North 31 Degrees 37 Minutes 43 Seconds West 136.4 feet
 thence North 33 Degrees 21 Minutes 58 Seconds West 123.3 feet
 thence North 32 Degrees 45 Minutes 18 Seconds West 108.9 feet
 thence North 27 Degrees 36 Minutes 35 Seconds West 114.5 feet
 thence North 28 Degrees 28 Minutes 27 Seconds West 121 feet
 thence North 28 Degrees 55 Minutes 14 Seconds West 123.4 feet
 thence North 29 Degrees 23 Minutes 43 Seconds West 92.8 feet
 thence North 29 Degrees 23 Minutes 41 Seconds West 27.4 feet
 thence North 29 Degrees 17 Minutes 57 Seconds West 111.1 feet
 thence North 21 Degrees 24 Minutes 25 Seconds West 114 feet
 thence North 04 Degrees 17 Minutes 50 Seconds West 108.6 feet
 thence North 10 Degrees 15 Minutes 02 Seconds East 98.5 feet
 thence North 20 Degrees 16 Minutes 16 Seconds East 85.9 feet
 thence North 20 Degrees 32 Minutes 38 Seconds East 73.8 feet
 thence North 21 Degrees 08 Minutes 58 Seconds East 51.1 feet
 thence North 22 Degrees 23 Minutes 00 Seconds East 19.6 feet
 thence North 19 Degrees 50 Minutes 28 Seconds East 76.2 feet
 thence North 30 Degrees 07 Minutes 25 Seconds East 30.5 feet more or less to **the ending**
point at: 38 degrees 15 minutes 12.97 seconds North Latitude and -111 degrees 37 minutes 020.9 seconds
 West Longitude, which can be converted to mapping accuracy State Plane Utah South Zone NAD 83 feet
 coordinates of X = 1,605,247.1 feet and Y = 10,420,369.4 feet.